



PATENT

TLSLAB.001A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gene Summy
Appl. No. : 09/915,495
Filed : July 26, 2001
For : CORNER FLASHING SYSTEM
Examiner : Kimberly T. Wood
Group Art Unit : 3632

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MAY 21 2004

GROUP 3600

DECLARATION OF PRIOR INVENTORSHIP IN THE UNITED STATES TO
OVERCOME CITED PATENT UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Gene Summy, do hereby declare that:

1. I am the named inventor of the above-captioned patent application, and I am familiar with the prosecution of the application, including the Response accompanying this Declaration.
2. I am advised that certain pending claims have been rejected as being anticipated by or obvious over U.S. Patent No. 6,401,401 to Williams.
3. I am informed that the filing date of Williams is October 20, 2000.
4. Prior to October 20, 2000, I conceived and reduced to practice the invention recited in the claims, as shown by the following evidence.
5. The enclosed photographs depict an embodiment of the flashing system on which at least Claim 1 reads. In particular, the photograph labeled "A" depicts a corner of a recessed window frame. A first member resides in the corner of the frame. The first member includes horizontal and vertical seating flanges, and first and second flaps. These photographs clearly establish that the invention recited in the claims was reduced to practice at least as early as the date(s) on which the photographs were taken.
6. All of the photographs were taken on or before October 13, 2000. Thus, all the enclosed photographs antedate the filing date of Williams.

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7. The invention of the subject matter recited in the claims occurred in the United States.

8. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or patent issuing therefrom.

Dated: 5/12/04

By: 

Gene Summy

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